

MINUTES
YORK COUNTY PLANNING COMMISSION

Regular Meeting
York Hall
August 8, 2001
7:00 PM

MEMBERS

Spencer W. Semmes, Chair
Andrew A. Simasek, Vice Chair
Robert E. Beil, Jr.
Robert D. Heavner
Michael H. Hendricks
Thomas G. Shepperd
Ann F. White

CALL TO ORDER

Chair Spencer Semmes called the meeting to order at 7:00 p.m. Messrs. Beil, Heavner, Semmes, Shepperd and Simasek were present and Mr. Hendricks and Mrs. White were absent. Staff members attending were J. Mark Carter, Timothy C. Cross, Michael S. King and Olivia D. Wilkinson.

APPROVAL OF MINUTES

Mr. Simasek moved to adopt the minutes of the regular meeting July 11, 2001 and they were unanimously adopted by roll call vote (5:0).

REMARKS BY THE CHAIR

The Chair welcomed visitors and explained the legal mandate of the Planning Commission, its composition of citizen volunteers, and its mission as an advisory body to the Board of Supervisors for land use issues. Chair Semmes welcomed Mr. Sid Dixon, who serves on the Gloucester County Planning Commission and was attending as part of the Virginia Planning Commissioners' Certification Program.

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS

Application No. UP-570-01, Hampton Roads Sanitation District: Request for a special use permit, pursuant to Section 24.1-306 (category 17, number 8) of the York County Zoning Ordinance, to authorize the construction of additional treatment facilities and the installation of an 8 to 12-inch pipeline from the HRSD York River Treatment Plant (515 Back Creek Road) to the BP/Amoco Refinery (2201 Goodwin Neck Road) to provide reclaimed water for industrial use. HRSD requests approval of two proposed alignments.

Ms. Olivia Wilkinson, after a brief video presentation, summarized the staff report that recommended approval. She then presented the applicant's video, which provided additional information about directional drilling.

Chair Spencer Semmes opened the public hearing.

Bruce Husselbee, P. E., Project Manager, Hampton Roads Sanitation District, introduced Mr. Dennis Shaw, Plant Manager for the HRSD York River Treatment Plant, and thanked and complimented Ms. Wilkinson for her assistance and dedication to the preparation of the application.

Mr. Husselbee discussed the proposal; a copy of his Power Point presentation is attached to the minutes of record. He noted that local and state government officials have been very supportive of the proposal. He said additional treatment options would provide an economical and reliable source of industrial reuse water on the Virginia Peninsula and would help to augment potable water supplies. He asked for the Commission's support of the application.

Mr. Heavner inquired about fiscal responsibility for maintenance of the proposed facilities. Mr. Husselbee explained that HRSD would maintain everything up to the BP/Amoco property line and BP/Amoco would maintain the pipeline installed within its property after it becomes operational.

Mr. Beil asked about the drilling proposed under Back Creek, and Mr. Husselbee said at least 20 feet of cover would be drilled but little or no environmental impacts would result. He spoke of HRSD's broad experience and successful results with directional drilling, including a project that crossed the York River.

Mr. Simasek asked if the "sidestream process" is a separate treatment process. Mr. Husselbee explained that the sidestream process treats wastewater to a highly effluent level and then treats it to a further level to meet the needs of BP/Amoco. He defined it as an "add-on" but not a separate process.

The Chair closed the public hearing.

Mr. Semmes found this proposal to be an excellent approach to solving the need to reuse wastewater and expressed surprise it is the first reuse project in Virginia. Nationally, reuse is very aggressive and saves millions of gallons of water, he added.

Mr. Shepperd moved to adopt Resolution PC01-07 to recommend approval. It was adopted unanimously by roll call vote (5:0, Mr. Hendricks and Ms. White absent).

Application No. UP-577-01, John R. and Jahala H. Maguire: Request for a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize an approximately 1100-square-foot attached accessory apartment in conjunction with a single-family detached dwelling (under construction) on a 10.5 acre parcel located at 104 Rileys Place.

Following a video introduction, Ms. Olivia Wilkinson presented a summary of the staff report to the Commission dated July 25, 2001, and noted the staff recommendation of approval by the adoption of proposed Resolution PC91-23.

Mr. Shepperd inquired if the applicants would be permitted to rent out the proposed accessory apartment in the future. Ms. Wilkinson stated that both the Zoning Ordinance and the proposed resolution would prevent the accessory apartment being rented separate from the principal dwelling and added that a separate electrical meter would not be installed for the accessory apartment.

Chair Semmes opened the public hearing.

Mr. John Maguire, 4 Magruder Road, Williamsburg, offered to answer questions about his application.

There being no questions of the Commission or any others to speak, the Chair closed the public hearing.

Responding to a question by Mr. Heavner, Ms. Wilkinson advised that a separate electric meter is not required but was recommended for this and future accessory apartments by the Zoning and Code Enforcement staff of the Department of Environmental and Development Services.

Mr. Simasek moved the adoption of Resolution PC01-23, which motion was approved unanimously (5:0, Mr. Hendricks and Ms. White absent).

Application No. UP-579-01, Percy P. Pharr: Request for a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize a detached 760-square-foot accessory apartment on the second floor of an existing detached garage in conjunction with a single-family detached dwelling on property located at 1608 Calthrop Neck Road

Mr. Michael King, following a video presentation, presented a summary of the staff memorandum in which the staff recommended approval.

Chair Semmes opened the public hearing.

Dr. Percy Pharr, 1608 Calthrop Neck Road, spoke in behalf of his application. In reply to a question by Mr. Beil, Dr. Pharr said he and Mrs. Pharr had originally planned a one-story garage with a woodworking shop, but during its design had decided to apply for an accessory apartment for their children to use during their visits.

Hearing no others, the Chair closed the public hearing.

Mr. Heavner inquired if a separate electric meter would be installed for this use, if approved, and Mr. King said staff has discussed requiring a single electric meter in the proposed or draft accessory apartment amendments to the Zoning Ordinance but had not addressed it with this application.

Mr. Beil moved the adoption of Resolution PC01-24 to recommend approval. It was approved by unanimous vote (5:0, Mr. Hendricks and Ms. White absent).

Application No. UP-580-01, Williamsburg Players: Request for a major amendment to a Special Use Permit, pursuant to Section 24.1-115(d)(3) of the York County Zoning Ordinance, to authorize the expansion of the James-York Playhouse. The proposed expansion involves a 9,000-square foot building addition and 62 additional parking spaces. The playhouse was originally approved by the Board of Supervisors in 1977 through the approval of Special Use Permit Application No. 77-UP14 and is located at 200 Hubbard Lane approximately 760 feet north of the intersection of Hubbard Lane (Route 716) and Penniman Road (Route 641).

Mr. Tim Cross presented a brief video introduction. He summarized the staff memorandum dated July 20, 2001, and indicated that the proposed number of parking spaces has been increased to 119 since it was written. He said expansion of the Playhouse would provide a type of cultural amenity that the County encourages, and he recommended approval of the application by the adoption of Resolution PC01-25.

Mr. Heavner asked if the proposed expansion would be allowed by right if the property in question was zoned GB, and Mr. Cross said that it would be.

Mr. Simasek expressed concern about traffic safety because Hubbard Lane has no sidewalks and would probably no longer be considered a residential street if the traffic were to increase significantly. He asked how the safe number of trips was determined. Mr. Cross said the traffic study focuses more on congestion than safety but that safety is a component of the Intersection Capacity Analysis. He added, however, that the portion of Hubbard Lane in question is very wide and only a few traffic accidents have ever been recorded there. He believed the road shoulders provide adequate space to accommodate cyclists and pedestrians. Mr. Simasek mentioned on-street parking on Hubbard Lane, and Mr. Cross said that on-street parking in front of the James-York Playhouse does not occur and would not be permitted.

Mr. Simasek asked how many seats the theater would hold, and Mr. Cross indicated the total after the expansion would be 250 seats, doubling the current seating capacity. Mr. Simasek inquired about the Playhouse's plans for any civic, cultural, or religious activities, and Mr. Cross suggested the applicant should address its plans for the future.

The Chair opened the public hearing

Mr. Rick Hinson, 152 John Rolfe Lane, Board Chair and President, Williamsburg Players, Inc., introduced Donna Fox and Al Schuman, members of the Board of Directors. He said the theater has been active in the County since 1957, having moved into its permanent facility in the 1970s. He said the rising population of patrons and general admissions has driven the need to expand the 4,000-square-foot facility. Further, Mr. Hinson mentioned the practice of placing local artists' works on the lobby walls, which practice could be expanded, and the scholarship program the Playhouse underwrites for theater majors, which will continue. He said there have been discussions in the past

about sharing the space with another nonprofit group and the expansion should allow the applicant to accommodate the group.

Mr. Hinson addressed Mr. Simasek's concerns about traffic and safety. He said the Playhouse has always been sensitive to the neighborhood and would not want to inconvenience its neighbors, and the primary reason to request additional parking is to "get off the street." Mr. Hinson did not think the proposed expansion would impact traffic in any major way.

The Chair closed the public hearing.

Mr. Simasek asked if the total number of parking spaces meets the conditions of the original use permit (one space per three seats). Mr. Cross replied that they do and that the Playhouse is actually proposing to add more spaces than the County requires. Mr. Carter added for a theater that the Zoning Ordinance requires one space for every four seats.

Mr. Simasek moved the adoption of Resolution PC01-25 recommending approval. It was adopted by unanimous vote (5:0, Mr. Hendricks and Ms. White absent).

NEW BUSINESS

Chair Semmes proposed that the Commission sponsor a series of technical amendments to the Zoning Ordinance. Mr. Shepperd moved adoption of Resolution PC01-26(R) to sponsor such an application, which was adopted by unanimous roll call vote (5:0, Mr. Hendricks and Ms. White absent). Mr. Carter indicated that staff was in the process of drafting some suggestions concerning accessory apartments and hoped to be able to provide it to the Commission within the next week. He said that because of the light agenda for the September meeting, it might be possible for the Commission to discuss accessory apartments at that meeting.

Mr. Semmes suggested the time has come to reactivate the Draft Yorktown Design Guidelines project. Mr. Carter suggested forming a committee of volunteers consisting of six members, three from the Planning Commission and three from the Yorktown Landowner/Resident Group, to be nominated by the group's Chairman, Bryce Hollingsworth. Messrs. Heavner and Simasek volunteered to serve and Mr. Semmes indicated he could also serve on the committee if needed. Mr. Carter stated that he would contact Mr. Hollingsworth to request that he nominate three members. Mr. Semmes requested that Mr. Carter coordinate the activities of the committee whose goal will be to meet the intent of the Board of Supervisors and the Planning Commission for control of architectural development in the village of Yorktown.

STAFF REPORTS

Mr. Carter reported on recent actions of the Board of Supervisors.

FUTURE BUSINESS

Mr. Carter apprised the Commission of applications for future public hearings.

ADJOURNMENT

Chair Semmes called adjournment at 8:25 p.m.

SUBMITTED: _____/s_____
Phyllis P. Liscum, Secretary

APPROVED: _____/s/_____
Spencer W. Semmes, Chair

DATE: September 12, 2001